

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PRESTIGIOUS SHIPPING CO. LTD.,

Plaintiff,

-against-

AGROCORP INTERNATIONAL PTE LTD.,

Defendant.

ECF CASE

07 Civ. 7101 (CM)

**STIPULATION AND ORDER
DIRECTING RELEASE OF
ATTACHED FUNDS**

WHEREAS, pursuant to Process of Maritime Attachment and Garnishment, the Plaintiff attached funds 1) in the amount of \$1,407,228.97 at Bank of America, and 2) in the amount of \$753,532.09 at American Express Bank, for a total attached amount of \$2,160,761.06, and

WHEREAS, pursuant to the Court's Order of November 15, 2007, the garnishee Bank of America deposited the funds that it had restrained with the Court's Registry and the garnishee American Express Bank deposited the funds that it had restrained with the Court's Registry;

WHEREAS, the parties have now resolved and settled their dispute, and the Court has entered an Order of Discontinuance of the action, dated November 26, 2007;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the parties hereto, that the Clerk of the Court shall release all funds previously deposited by the garnishees into the Court's Registry in this action to the Defendant's counsel.

Waesche, Sheinbaum & O'Regan, P.C.
Attorneys for the Plaintiff

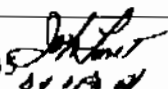
Chalos, O'Connor & Duffy, LLP
Attorneys for the Defendant

By: 

John R. Foster

Attorney ID: JF3635

Digitally signed by John R. Foster
Date: 2007.12.06 13:53:52 -05'00'


*of 12/6/07
auditory marks*

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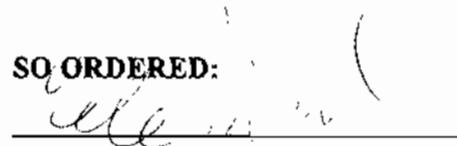
**NOW, THE COURT HAVING REVIEWED THE STIPULATION AND
AGREEMENT OF THE PARTIES, IT IS HEREBY ORDERED:**

The Clerk of the Court is directed to release all funds that were deposited with the Court, together with any interest that such funds earned, in this matter as follows:

- The Clerk of the Court shall be permitted to deduct from the income on any funds invested a fee equal to ten per cent (10%) of the income earned, but not exceeding the fee authorized by the Judicial Conference of the United States and set by the Director of the Administrative Offices as provided for in Local Rule 67.1;
- After deducting any fees, as may be appropriate, the Clerk of the Court shall provide the funds to be released to the Defendant's counsel via check made payable to: "Chalos, O'Connor & Duffy, LLP, as attorneys."

Dated: December 7, 2007

SO ORDERED:



**Hon. Colleen McMahon,
United States District Judge**